

ENTERED

October 22, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	6:21-CR-00146-2
	§	
ESMERALDA CERDA	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing was held today in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The Court finds that detention of Defendant Esmeralda Cerda pending trial in this case is appropriate. There are no conditions or combination of conditions that would reasonably assure the appearance of the Defendant as required and the safety of the community.

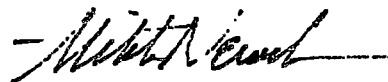
I adopt the findings and conclusions contained in the Pretrial Services Report. The evidence against Defendant in this criminal case is strong. I find that Defendant poses a significant flight risk based on her ties to Mexico, which include extensive contacts and relationships with Mexican nationals and access to resources that could allow her to abscond to Mexico. Defendant frequently visits Mexico, as recently as one day before her arrest, and testimony at today's hearing indicated that Defendant expressed to the investigative agent a desire to relocate there permanently. Furthermore, some evidence indicated that resources available to Defendant, such as her automobile, may have come from proceeds of illicit activity.

I further find that Defendant also poses a danger to the community based on the seriousness of the crime charged and her criminal associations. In the instant offense, Defendant admitted to transporting 25 undocumented aliens. In addition, the information adduced at today's hearing demonstrates that Defendant has significant ties to cartel-related activity and other dangerous individuals.

After considering the factors set forth in 18 U.S.C. § 3142, I find that there is no condition or set of conditions that would adequately assure Defendant's presence at trial, or that would adequately assure the safety of any other person or the community.

Defendant is committed to the custody of the United States Marshal or designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 22nd day of October, 2021.



MITCHEL NEUROCK
United States Magistrate Judge